International Covenant on Civil and Political Rights

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Human Rights Committee

Concluding observations on the initial report of Liberia*

1. The Committee considered the initial report of Liberia (CCPR/C/LBR/1) at its 3500th and 3501st meetings (CCPR/C/SR.3500 and 3501), held on 9 and 10 July 2018. At its 3519th meeting, held on 23 July 2018, it adopted the following concluding observations.

A. Introduction

2. The Committee welcomes the initial report of Liberia, which was 11 years overdue, and the information presented therein. It expresses appreciation for the opportunity to engage in a constructive dialogue with the State party's high-level delegation on the measures taken by the State party since the entry into force of the Covenant to implement its provisions. The Committee is grateful to the State party for its written replies (CCPR/C/LBR/Q/1/Add.1) to the list of issues (CCPR/C/LBR/Q/1), despite their late submission, which were supplemented by the oral responses provided by the delegation, and for the supplementary information provided to it in writing.

B. Positive aspects

3. The Committee welcomes the proper conduct of the presidential election of December 2017 and the peaceful transfer of power between the democratically elected leaders.

4. The Committee welcomes the adoption of a number of legislative measures by the State party, including:

(a) The Independent National Commission on Human Rights Act (2005);

(b) The Law Reform Commission Act (2011);

(c) The Liberia Land Authority Act (2016).

5. The Committee also welcomes the accession to the following international instruments by the State party:

(a) The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, in 2004;

(b) The Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, in 2004;

(c) The International Covenant on Economic, Social and Cultural Rights, in 2004;

* Adopted by the Committee at its 123rd session (2–27 July 2018).

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(d) The Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, in 2004;

(e) The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, in 2004;

(f) The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, in 2004;

(g) The Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty, in 2005;

(h) The Convention on the Rights of Persons with Disabilities, in 2012.

C. Principal matters of concern and recommendations

Constitutional and legal framework

6. While noting that the State party has a dualist legal system, the Committee is concerned that not all the rights enshrined in the Covenant are adequately incorporated in the domestic legal system and therefore cannot be invoked before domestic courts. It is also concerned that a certain number of provisions of the Constitution and of statutory and customary laws remain incompatible with the provisions of the Covenant, such as those concerning property rights and acquisition of nationality, and at persistent discrepancies between different sources of law, including those in relation to minimum age for marriage, polygamy and transmission of nationality to children (art. 2).

7. **The State party should:**

(a) **Take all steps necessary to guarantee that the provisions of the Covenant have full legal effect in its domestic legal system so that they can be applied by, or invoked before, domestic courts;**

(b) **Ensure that the Law Reform Commission expedites the review of provisions of the Constitution and of statutory and customary laws that are inconsistent with the Covenant and harmonizes the State party's legislation with a view to bringing it into full compliance with the Covenant. It should also consider acceding to the first Optional Protocol to the Covenant, which establishes an individual complaint mechanism.**

Independent National Commission on Human Rights

8. The Committee, while noting that the Independent National Commission on Human Rights was accredited in 2017 with "A" status by the Global Alliance of National Human Rights Institutions, remains concerned about (a) the reported underfunding of the Commission, hampering its functional capacity; (b) delays in the appointment of commissioners; and (c) the Commission's limited expertise in investigating human rights violations (art. 2).

9. **The State party should strengthen the human and financial resources allocated to the Independent National Commission on Human Rights, thereby enabling it to discharge its functions efficiently. It should also ensure that the process for appointing commissioners and the Chair is timely, inclusive and transparent. Moreover, the State party is encouraged to seek technical assistance from the Office of the United Nations High Commissioner for Human Rights to improve the capacity of the Commission to investigate human rights violations.**

Impunity and past human rights violations

10. While welcoming the creation of the National Palava Hut programme in 2013 aimed at promoting and consolidating lasting peace and harmony throughout the country, the Committee regrets the very few steps taken to implement the bulk of the recommendations issued by the Truth and Reconciliation Commission in 2009. It notes with concern that none of the alleged perpetrators of gross human rights violations and war crimes mentioned

in the Commission's report have been brought to justice and that some of those individuals are or have been holding official executive positions, including in the Government. It also notes with concern the absence of a comprehensive programme of reparations for victims. The Committee is concerned that such a situation fosters a climate of impunity and fails to achieve transitional justice. The Committee notes the information provided by the delegation relating to the new Government's intention to issue a statement shortly on the measures it plans to take to implement the Commission's report (arts. 2, 6, 7 and 14).

11. **The State party should, as a matter of priority, establish a process of accountability for past gross human rights violations and war crimes that conforms to international standards, including concerning independence and expertise of the judiciary; victims' access to justice, due process and fair trial guarantees; and witness protection. The State party should, in particular:**

(a) **Ensure that all alleged perpetrators of gross human rights violations and war crimes are impartially prosecuted and, if found guilty, convicted and punished in accordance with the gravity of the acts committed, regardless of their status or any domestic legislation on immunities, and remove any persons who are proven to have been involved in gross human rights violations and war crimes from official positions;**

(b) **Take all necessary measures to implement the recommendations of the Truth and Reconciliation Commission and consider establishing a well-resourced body, comprising government representatives, the National Independent Commission on Human Rights and civil society organizations, to monitor the implementation of those recommendations;**

(c) **Develop and implement a comprehensive reparations scheme for all victims of gross human rights violations and war crimes;**

(d) **Redouble its efforts aimed at fostering reconciliation and sustaining peace, with the participation of victims and their families as well as civil society organizations active in seeking justice for past crimes.**

State of emergency

12. While acknowledging the gravity of the Ebola virus crisis in August 2014, the Committee regrets that the State party did not inform other States parties to the Covenant, through the Secretary-General, of the provisions from which it derogated during the declared state of emergency. It is also concerned about allegations that measures taken during that period, particularly in relation to articles 12 and 19 of the Covenant, did not fully comply with the rationale and scope of article 4 (1) of the Covenant and the Committee's general comment No. 29 (2011) on derogations from provisions of the Covenant during a state of emergency, and that investigations into alleged human rights violations committed during the state of emergency fell short of international standards (arts. 4, 6, 12 and 19).

13. **The State party should take measures to:**

(a) **Ensure that any process of derogation from the Covenant complies with article 4 and, to that end, develop national guidelines on the implementation of a proclamation of state of emergency;**

(b) **Effectively investigate all allegations of human rights violations committed during the state of emergency of 2014 with a view to bringing perpetrators to justice and providing victims with effective remedies.**

Definition of terrorism

14. The Committee is concerned about the imprecise and overly expansive definition of terrorism in the State party's Penal Code as a capital crime, defined as a deliberate or intentional attempt to cause bodily injury or death to another person or group of persons. The Committee is in particular concerned about the vague terminology used to define the intentional element, *mens rea*. Although the Committee notes that no indictments have been

brought under the 2008 law, it remains concerned about its potential for abuse (arts. 6, 9 and 14).

15. **The State party should revise the legal provisions on terrorism to ensure that acts of terrorism are defined in a precise and narrow manner in accordance with international standards, so that legislation adopted in that context is limited to crimes that would clearly qualify as acts of terrorism. Moreover, the State party should ensure that persons suspected of, or charged with, terrorism or a related crime are provided with all legal safeguards and that any restrictions on their rights are not arbitrary, are lawful, necessary and proportionate and are subject to effective judicial oversight.**

Non-discrimination

16. While noting that the principle of non-discrimination is enshrined in the Constitution, the Committee regrets the lack of comprehensive legislation ensuring its effective implementation. It is particularly concerned at reports that individuals belonging to certain groups face stigmatization and de facto discrimination, in particular persons living with HIV/AIDS, persons with psychosocial disabilities, Ebola virus survivors and persons living with albinism (arts. 2 and 26).

17. **The State party should:**

(a) **Adopt comprehensive legislation against discrimination that includes a definition of all forms of discrimination and an expanded list of prohibited grounds of discrimination, including national or ethnic origin, religion, disability, sexual orientation and gender identity and any other status, and provide for effective remedies in case of violations;**

(b) **Carry out broad education and awareness-raising campaigns that promote equality, tolerance and respect for diversity.**

Discrimination based on sexual orientation and gender identity

18. The Committee is concerned about (a) the criminalization of same-sex sexual conduct between consenting adults and attempts to increase penalties and prohibit same-sex marriage; and (b) reports that lesbian, gay, bisexual, transgender and intersex individuals are stigmatized and are subject to de facto discrimination in the enjoyment of a range of rights on the basis of their sexual orientation and gender identity. It is also concerned that lesbian, gay, bisexual, transgender and intersex individuals experience violence, arbitrary detention and police abuse of authority, a state of affairs that is exacerbated by underreporting of, and lack of effective investigations into, such human rights violations, whether inflicted by State or non-State actors. Moreover, the Committee expresses its concern at reports of harassment and reprisals against defenders and associations advocating for the rights of lesbian, gay, bisexual, transgender and intersex individuals (arts. 2, 6, 7, 9, 20, 22 and 26).

19. **While acknowledging the diversity of morality and cultures internationally, the Committee recalls that State laws and practices must always conform to the principles of universality of human rights and non-discrimination. The State party should, as a matter of priority, decriminalize same-sex sexual conduct between consenting adults and explicitly reject any form of social stigmatization, discrimination or violence against persons based on their sexual orientation or gender identity. It should also:**

(a) **Remove any barriers to the enjoyment of rights by lesbian, gay, bisexual, transgender and intersex individuals;**

(b) **Facilitate access to justice by victims, including by strengthening trust between lesbian, gay, bisexual, transgender and intersex individuals and State authorities;**

(c) **Ensure the investigation, prosecution and punishment of any act of violence motivated by the victim's sexual orientation or gender identity and ensure the systemic collection of data about such acts;**

(d) **Guarantee in practice the security as well as the rights to freedom of expression, assembly and association of lesbian, gay, bisexual, transgender and intersex individuals, defenders and organizations;**

(e) **Undertake education campaigns, in consultation with lesbian, gay, bisexual, transgender and intersex representatives and civil society organizations, on non-discrimination, inclusion and diversity.**

Gender equality

20. While welcoming the election of a woman as President for two terms in Liberia and the appointment of two women to the Supreme Court and while taking note of the State party's efforts to promote the political participation of women, the Committee regrets the failure to pass the Affirmative Action Bill, which aimed to create 21 constituencies in the House of Representatives for women, youth and persons with disabilities. It is also concerned about women's underrepresentation in public affairs and in decision-making positions, including at lower-level courts, and about the small number of women candidates in past elections, in particular local elections (arts. 2, 3 and 26).

21. **The State party should:**

(a) **Step up its efforts to increase the participation and representation of women in public affairs and in decision-making positions, including by taking all steps necessary to ensure the passage of the Affirmative Action Bill;**

(b) **Remove all direct and indirect obstacles to women's participation in public affairs and in decision-making, notably by considering repealing registration fees for women candidates and introducing temporary special measures;**

(c) **Take concrete measures to eliminate gender biases and stereotypes regarding the roles and responsibilities of men and women in the family and society.**

Harmful practices

22. The Committee notes the 2018 presidential executive order, enforced for a period of one year, banning female genital mutilation of girls under 18 years of age or of non-consenting adults. It remains highly concerned, however, that the practice, affecting more than half of Liberian women and girls, is still not legally prohibited. The Committee is also concerned at the role of secret societies in perpetuating female genital mutilation through their initiation rites, that practices such as trial by ordeal and ritual killings remain widespread and at the impunity enjoyed by members of those secret societies for such acts. It is concerned, moreover, that potential victims of female genital mutilation trying to escape the practice and actual victims who reveal their experience with secret societies, as well as defenders advocating against the practice, are subject to social exclusion, threats and reprisals combined with an inadequate response from the police in protecting them (arts. 2, 3, 6, 7, 24 and 26).

23. **The State party should:**

(a) **Adopt without further delay, and effectively implement, legislation criminalizing all forms of female genital mutilation without exception;**

(b) **Take all necessary measures to eradicate harmful practices, including female genital mutilation, trial by ordeal and ritual killings, and ensure that all allegations and indications that such practices have been committed, including by secret societies, are effectively investigated and that the alleged perpetrators are prosecuted and, if convicted, punished with adequate sanctions;**

(c) **Strengthen awareness-raising and education programmes on the discriminatory and long-term harmful effects of female genital mutilation, among other harmful practices, in consultation with women's groups and relevant human rights civil society organizations, and ensure that the communities where such practices are widespread are targeted in order to bring about a change in mindsets;**

(d) Take effective measures to facilitate victims' access to justice and protect them and their defenders from repercussions or reprisals.

Gender-based violence

24. The Committee expresses its concern about the absence of a legal framework criminalizing all forms of domestic violence, which is prevalent in the State party and experienced in particular by women and girls and perpetuated by strong sociocultural traditions. The Committee is also concerned that, despite measures taken to address gender-based sexual violence such as adoption of the Rape Law in 2005 and the creation of the Special Court, Court E, to adjudicate sexual offences in Montserrado and Nimba Counties, (a) the Rape Law fails to criminalize marital rape; (b) the rates of prosecution and conviction remain low despite the fact that rape is the second most commonly reported serious crime in Liberia; and (c) victims are deterred from filing complaints or continuing proceedings against their alleged perpetrators by a variety of factors, such as social stigma, fear of reprisals and lack of confidence in State institutions (arts. 2, 3, 7 and 26).

25. **The State party should take all necessary measures to prevent and combat all forms of violence against women and girls. To this end, it should:**

(a) Enact and effectively implement legislation that criminalizes all forms of domestic violence, including marital rape;

(b) Effectively investigate all cases of violence against women and girls, bring the perpetrators to justice and, if found guilty, punish them with penalties commensurate with the gravity of the offences;

(c) Ensure that the Special Court is provided with the necessary financial and human resources and that sexual crimes divisions are created within the circuit courts of all counties;

(d) Continue carrying out nationwide awareness-raising initiatives and training activities for State officials, especially judges, prosecutors, police officers and medical personnel, to ensure that they respond effectively in all cases of gender-based violence;

(e) Target the public at large and community leaders in particular, in collaboration with women's groups and relevant civil society organizations, to address patriarchal attitudes and deep-rooted stereotypes that perpetuate the prevalence of violence against women and girls;

(f) Strengthen measures to facilitate victims' access to justice and to means of protection, including safe homes and shelters throughout the country.

Voluntary termination of pregnancy

26. The Committee notes that article 16 (3) of the Penal Code criminalizes voluntary termination of pregnancy in all but certain circumstances and that two physicians must authorize a voluntary termination of pregnancy. It is concerned about the stigma associated with seeking information about safe abortion services and the prevalence of unsafe clandestine abortions, which often lead to maternal mortality. It is also concerned about the high rate of adolescent pregnancy in the State party, due notably to the limited access to sexual and reproductive health services, including contraceptives, and to age-appropriate information and education (arts. 2, 3, 6, 7, 17, 24 and 26).

27. **The State party should revise its laws to guarantee safe, legal and effective access to abortion and remove any existing barriers that deny such access with a view to preventing those in need from being compelled to resort to clandestine abortions that may endanger their lives and health. It should also:**

(a) Prevent the stigmatization of women and girls seeking abortion and ensure that criminal sanctions are not applied against them or against medical service providers assisting them in doing so;

(b) **Ensure access for women and men and, especially, girls and boys to quality and evidence-based information and education about sexual and reproductive health and to a wide range of affordable contraceptive methods.**

Death penalty

28. The Committee welcomes the State party's confirmation during the dialogue of its commitment to respect its international obligations as a State party to the Second Optional Protocol to the Covenant and the fact that no execution has taken place since 2008. However, the Committee expresses its concern that, contrary to its obligations further to its accession to the Second Optional Protocol in 2005, the State party reintroduced the death penalty in its Penal Code in 2008 and that judges continue to sentence people to death. It is also concerned that the death penalty is mandatory for certain crimes and reiterates its position that the mandatory death sentence is contrary to the Covenant (art. 6).

The Committee recalls that adherence to the Second Optional Protocol requires the State party take all necessary measures to abolish the death penalty within its jurisdiction and become an abolitionist country in practice as well as in law. The State party should therefore remove any provisions in its legislation that provide for the death penalty, commute all existing death sentences and refrain from carrying out any executions.

Conduct of police officers and excessive use of force

30. The Committee is concerned at allegations of (a) arbitrary arrests and detention beyond 48 hours without probable cause, including for debt and minor offences, contrary to the State party's regulations; and (b) excessive use of police force, notably in the context of dispersing demonstrators. It is also concerned about reports that police officers are rarely prosecuted for such conduct (arts. 2, 6, 7, 9 and 11).

31. **The State party should:**

(a) **Ensure that police officers strictly adhere to the 48-hour statutory detention period;**

(b) **Ensure that detention is not used for debt and minor offences or as a means of prevention and that persons deprived of liberty have access to an immediate remedy to challenge the legality of detention;**

(c) **Ensure that the principles of necessity and proportionality in the use of force are adequately reflected in the State party's legislation and policies, in line with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;**

(d) **Intensify the provision of training on the use of force to law enforcement personnel and raise awareness among judges, prosecutors and lawyers;**

(e) **Ensure that all instances of arbitrary detention and arrest as well as excessive use of force by police are promptly, impartially and effectively investigated and that those responsible are brought to justice and victims provided with effective remedies.**

Trafficking in persons and forced labour

32. The Committee welcomes the measures adopted by the State party to combat trafficking. It, remains concerned, however, about (a) the prevalence of trafficking, notably internal trafficking of women and children for the purposes of economic and sexual exploitation; (b) the weak implementation of the Act to Ban Trafficking in Persons (2005) combined with the very low rate of prosecution and conviction, as well lenient sanctions handed down against traffickers; and (c) the inadequate support provided to victims of trafficking, notably the lack of government-run shelters designated to protect such victims. The Committee is also concerned about reports that children are subject to forced labour, in particular as street vendors, beggars or domestic servants, and to the worst forms of child labour, in particular in the rubber manufacturing and mining industries (arts. 7, 8 and 24).

33. **The State party should:**

(a) **Strictly implement its domestic legal framework in relation to trafficking in persons, in particular the Act to Ban Trafficking in Persons, while considering adjusting the legal penalties set out in the Act so they are proportionate to the gravity of such offences, and increase the resources necessary for the effective implementation of the National Action Plan against Trafficking 2014–2019;**

(b) **Ensure that suspected cases of trafficking in persons are duly investigated and, to that end, allocate sufficient financial, human and technical resources to the Women and Children Protection Section of the police, in charge of investigating trafficking cases;**

(c) **Swiftly bring alleged perpetrators to justice and, if they are convicted, punish them with adequate sanctions;**

(d) **Redouble its efforts to identify victims and provide them with full reparation, appropriate protection and assistance, including by establishing a national mechanism for referral and improving victims' access to safe homes and shelters;**

(e) **Take all necessary measures to eliminate forced labour and all forms of child labour exploitation, in particular in the rubber manufacturing and mining industries; effectively implement the National Action Plan to Combat the Worst Forms of Child Labour; and enforce where necessary the provisions on forced labour in the Penal Code and the provisions on mandatory primary education in the Children's Law as a means to prevent children's engagement in the worst forms of child labour.**

Prison conditions

34. The Committee is concerned that, despite the State party's efforts to address prison overcrowding, including through the Magistrate Sitting Program in Montserrado County and by expanding the jurisdiction of magistrate courts, conditions of detention remain very harsh and severe. Overcrowding is noticeable in almost all detention facilities, aggravated by the high number of pretrial detainees, some of whom are held for long periods. It is also concerned about the substandard conditions in terms of prisoners' access to health care, sanitation and food (arts. 7 and 10).

35. **The State party should strengthen its efforts to substantially improve detention conditions by:**

(a) **Scaling up the work of the Magistrate Sitting Program to all places of detention;**

(b) **Effectively implementing measures to reduce overcrowding, in particular through the promotion of alternatives to detention such as bail and house arrest;**

(c) **Ensuring that pretrial detention is used solely as an exceptional measure, in accordance with article 9 of the Covenant;**

(d) **Resuming the construction of the new prison facility in Cheesemanburg and constructing or renovating other such facilities, as need dictates. It should also safeguard the right of all persons deprived of their liberty to be treated with humanity and dignity and ensure that detention conditions in all facilities for persons deprived of liberty meet the Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), including those concerning separation of prisoners and access to health care, sanitation and food.**

Administration of justice and fair trial

36. The Committee is concerned at the considerable backlog of court cases, resulting in lengthy periods of pretrial detention for a large number of people and prison overcrowding. This is attributed notably to the shortage of judges, prosecutors and public defenders, as well as at alleged corruption within the judiciary. It is also concerned about challenges to

the independence of the judiciary, notably those contained in articles 71 and 97 of the Constitution, and, while noting the information provided by the delegation, the Committee remains concerned about reports of past attempts at interference by the executive in the appointment or removal of judges. The Committee is also concerned about the absence of a legal aid system in the State party and that not all due process guarantees are made available, in particular regarding the right to be tried without undue delay and the right to free interpretation services (arts. 2, 9 and 14).

37. **The State party should pursue its efforts to reform the justice system and ensure that all court proceedings are conducted in full observance of the due process guarantees set forth in article 14 of the Covenant. In particular, it should:**

(a) **Effectively address the court backlog, including by strengthening financial resources allocated to the judiciary and increasing the availability of trained judges, prosecutors and public defenders and by reducing registration fees for lawyers;**

(b) **Take measures to curb incidents of corruption within the judiciary and ensure that disciplinary procedures against unethical judges and magistrates are duly applied;**

(c) **Expedite the process of revising the provisions of the Constitution that adversely affect the independence of the judiciary and ensure that the appointment, promotion and removal of judges are compatible with the independence of the judiciary and free from executive interference;**

(d) **Create an adequately resourced legal aid system and ensure that free legal aid is provided in a timely manner in all cases where the interests of justice so require;**

(e) **Ensure the right to a fair trial without undue delay;**

(f) **Provide for free interpretation for all defendants who do not understand or speak the language used in court.**

Asylum seekers and refugees

38. The Committee is concerned about the lack of an applicable legal framework for stateless persons, despite previous attempts to include such provisions in the 1993 Refugee Act. The Committee is also concerned at allegations that the principle of non-refoulement, although reflected in the State party's legislation, is not always observed (arts. 2, 6, 7, 10 and 13).

39. **The State party should pursue the reform of the Refugee Act, notably by incorporating provisions on stateless persons aimed at establishing an effective statelessness determination procedure. It should also strictly enforce the absolute prohibition of refoulement by ensuring that refugees and asylum seekers are not deported to a country where there are substantial grounds for believing there is a real risk of irreparable harm, such as those set out in articles 6 and 7 of the Covenant.**

Freedom of expression

40. While noting the State party's openness and the President's commitment to freedom of expression, the Committee is concerned about the existence of defamation and libel provisions in the State party's Penal Code which are used to silence dissent and penalize statements made by members of the media. The Committee is also concerned about cases of arbitrary closure of media outlets as well as incidents of attacks against, and undue interference in the work of, journalists (arts. 2, 6, 7 and 19).

41. **In the light of the Committee's general comment No. 34 (2011) on the freedoms of opinion and expression, the State party should ensure that any restriction on media activities is in strict compliance with the provisions of article 19 (3) of the Covenant. The State party should accelerate the enactment of the bill decriminalizing defamation and libel not only of the President but also of any government representative, and ensure that defamation laws do not serve to stifle freedom of expression. It should also protect journalists and the media against any form of undue**

interference, harassment and attack, promptly investigate all such attacks and bring those responsible to justice. Finally, the State party should expedite the establishment of the independent broadcasting regulator and report on its activities in its next periodic report.

Rights of the child

42. While noting the increase in birth registration achieved in 2013, the Committee remains concerned that the rate of birth registration remains low in the State party, particularly in rural areas. The Committee is also concerned that corporal punishment is not yet prohibited in all settings (arts 2, 7, 16 and 24).

43. **The State party should step up its efforts to achieve universal birth registration with a view to guaranteeing children's enjoyment of the Covenant rights and avoiding the risk of becoming stateless. In particular, it should ensure access to free registration throughout the country and strengthen such access in rural areas, including by using mobile registration units. The State party should take practical steps, including through legislative measures where appropriate, to put an end to corporal punishment in all settings.**

Participation in public affairs

44. The Committee is concerned about undue restrictions, such as the value of property owned by candidates, on standing for public office as well as limitations on the right to vote experienced by various groups of persons, including pretrial detainees, long-standing residents who do not qualify for naturalization and people who turn 18 between the voter registration period and election day. It is also concerned about reported difficulties faced by persons with disabilities in accessing polling places and about the limited resources and independence of the National Election Commission, impeding it from effectively resolving election-related disputes (arts. 2 and 25).

45. **The State party should:**

(a) **Remove undue restrictions on standing for public office;**

(b) **Amend the legislative framework and adopt procedures to ensure that the right to vote can be exercised without discrimination, in compliance with article 25 of the Covenant;**

(c) **Remove any physical obstacles to accessing polling places;**

(d) **Implement the Constitutional Review Committee's recommendation to establish an electoral court equipped with the necessary resources and trained magistrates enabling it to efficiently adjudicate election-related disputes in a timely fashion.**

Customary land

46. The Committee notes the information provided on the Land Rights Bill, which aims notably to regulate the status of customary lands. It remains concerned, however, at the slow pace in passing the bill and that, in the meantime, local communities are unable to obtain title to customary lands. It is also concerned that concession agreements are concluded on customary lands without conducting prior consultation with local communities; that compensation, including alternative land provision, is not provided to the affected communities; and that women are disproportionately affected by such situations, including in access to and ownership and control of land (arts. 3, 26 and 27).

47. **The State party should accelerate the adoption of the Land Rights Bill and ensure that it provides for equal land and property rights for women and men, and eliminate barriers restricting women's access to and use, ownership and control of land, including in concession areas. In particular, it should guarantee, in law and in practice, that genuine consultations are conducted with members of local communities occupying customary lands, including women, prior to concluding concession agreements with a view to obtaining the free, prior and informed consent of local**

communities, and that such communities can benefit from development projects carried out on their lands and are provided adequate compensation. Moreover, the State party should ensure that private companies carrying out development projects implement corporate social responsibility policies supported by effective monitoring and accountability mechanisms.

D. Dissemination and follow-up

48. The State party should widely disseminate the Covenant, its first periodic report, the written replies to the Committee's list of issues and the present concluding observations with a view to raising awareness of the rights enshrined in the Covenant among the judicial, legislative and administrative authorities, civil society and non-governmental organizations operating in the country and the general public.

49. In accordance with rule 71, paragraph 5, of the Committee's rules of procedure, the State party is requested to provide, by 27 July 2020, information on the implementation of the recommendations made by the Committee in paragraphs 11 (impunity and past human rights violations), 37 (administration of justice and fair trial) and 47 (customary land) above.

50. The Committee requests the State party to submit its next periodic report by 27 July 2022 and to include in that report specific up-to-date information on the implementation of the recommendations made in the present concluding observations and of the Covenant as a whole. The Committee also requests the State party, in preparing the report, to broadly consult civil society and non-governmental organizations operating in the country. In accordance with General Assembly resolution 68/268, the word limit for the report is 21,200 words. Alternatively, the Committee invites the State party to agree, by 27 July 2019, to use its simplified reporting procedure, whereby the Committee transmits a list of issues to the State party prior to the submission of its report. The State party's response to the list of issues will constitute the next periodic report to be submitted under article 40 of the Covenant.